

DEC 17 2015

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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

ROBERT STEVEN JOYCE,) CASE NO. 7:15CV00549

v. Plaintiff,)) MEMORANDUM OPINION

SGT. PHILIPS, ET AL.,)) By: Glen E. Conrad
Defendant(s).)) Chief United States District Judge

The court dismissed without prejudice this pro se, prisoner civil rights action pursuant to 42 U.S.C. § 1983 for failure to state a claim and denied plaintiff's motion to amend, based on his failure to exhaust administrative remedies as to his original claims. See 42 U.S.C. § 1997e(a). Plaintiff now moves for reconsideration of the dismissal order. See Fed. R. Civ. P. 59(e). He also seeks to amend his complaint once again, alleging that he has been unable to obtain administrative remedy forms at Red Onion State Prison. He asks the court to issue an injunction directing officials there to provide such forms. Plaintiff fails to demonstrate, however, any ground on which he is entitled to relief from the order dismissing his original complaint. Accordingly, the court finds no ground on which to grant the relief plaintiff seeks and will deny his motion. An appropriate order will issue this day. Moreover, the court notes that the alleged denial of access to a state prison's grievance procedure does not state a claim actionable under § 1983, since inmates have no constitutional right to a grievance procedure. Adams v. Rice, 40 F.3d 72, 75 (4th Cir. 1994). The Clerk is directed to send copies of this memorandum opinion and accompanying order to plaintiff.

ENTER: This 16th day of December, 2015.

Glen Conrad
Chief United States District Judge